

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Chi-Hong B. Chen et al.	Examiner:	Tracy Ann Vivlemore
Serial No.:	10/563,888	Group Art Unit:	1635
Filed:	January 9, 2006	Docket:	G&C 30448.108-US-WO
Title:	APTAMERS TO HUMAN EPIDERMAL GROWTH FACTOR RECEPTOR-3		

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via the Office electronic filing system with the U.S. Patent and Trademark Office on September 11, 2008.

By: /Barbara Senty/
Name: Barbara Senty

COMMUNICATION ACCOMPANYING REFILING OF
AMENDMENT UNDER 37 C.F.R. §1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication explains the reason for refiling the Amendment included herewith, one first filed on April 11, 2008.

REMARKS

This Amendment is being refiled in response to a request by Examiner Vivlemore because the original filing was lost by the Patent Office.

Briefly, On April 11, 2008 Applicants facsimile filed an amendment under 37 C.F.R. §1.111 in response to the Office Action dated January 11, 2008. On September 10, 2008, Examiner Vivlemore contacted Applicants' Attorney to discuss this matter. In this discussion Applicants' attorney learned that the amendment under 37 C.F.R. §1.111 filed April 11, 2008 had been lost by the Patent Office. This Amendment is therefore being refiled with the instant communication to make clear that it was originally filed on April 11, 2008 and to provide the associated evidence of this timely filing.

Attachment A includes a copy of the Amendment filed April 11, 2008 and the Auto-Reply Facsimile Transmission return receipt which shows that this Amendment was timely filed and received by the Office.

Respectfully submitted,

GATES & COOPER LLP
Attorneys for Applicant(s)

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

Date: September 11, 2008

By: /William J. Wood/
Name: William J. Wood
Reg. No.: 42,236

WJW/bjs

G&C 30448.108-US-WO

ATTACHMENT A

Auto-Reply Facsimile Transmission



TO:

Fax Sender at +13106418798

Fax Information

Date Received:

4/11/2008 2:47:05 PM [Eastern Daylight Time]

Total Pages:

10 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

04-11-2008 11:54AM FROM:Gates & Cooper LLP

+13106418798

T-605 P-001

F-433

Gates & Cooper LLP

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045

FAX TRANSMISSION TO USPTO

TO: Commissioner for Patents
Attn: Examiner Tracy Ann Vivemore
Patent Examining Corps
Facsimile Center
Alexandria, VA 22313-1450

FROM: William J. Wood
OUR REF.: G&C 30448.108-US-WO
TELEPHONE: (310) 642-4144

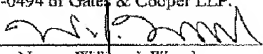
Total pages, including cover letter: 10

PTO FAX NUMBER: 571-273-8300

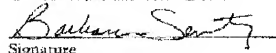
If you do NOT receive all of the pages, please telephone us at (310) 641-8797, or fax us at (310) 641-8798.

Title of Document Transmitted:	TRANSMITTAL SHEETS AND AMENDMENT UNDER 37 CFR §1.111.
Applicant:	Chu-Hong B. Chen et al.
Serial No.:	10/563,888
Filed:	January 9, 2006
Group Art Unit:	1635
Title:	APTAMERS TO HUMAN EPIDERMAL GROWTH FACTOR RECEPTOR-3
Our Ref. No.:	G&C 30448.108-US-WO

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP.

By: 
Name: William J. Wood
Reg. No.: 42,236

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Signature

April 11, 2008
Date

WJW/bps

G&C 30448.108-US-WO

MEMORY TRANSMISSION REPORT

TIME : 04-11-2008 11:58AM
TEL NUMBER : +13106418798
NAME : Gates & Cooper LLP

FILE NUMBER : 433
DATE : 04-11 11:54AM
TO : 15712738300
DOCUMENT PAGES : 010
START TIME : 04-11 11:54AM
END TIME : 04-11 11:58AM
SENT PAGES : 010
STATUS : OK

FILE NUMBER : 433

*** SUCCESSFUL TX NOTICE ***

Gates & Cooper LLP

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045

FAX TRANSMISSION TO USPTO

TO: Commissioner for Patents
Attn: Examiner Tracy Ann Vivlemore
Patent Examining Corps
Facsimile Center
Alexandria, VA 22313-1450

FROM: William J. Wood
OUR REF.: G&C 30448.108-US-WO
TELEPHONE: (310) 642-4144

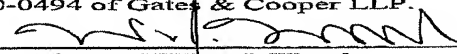
Total pages, including cover letter: 10

PTO FAX NUMBER: 571-273-8300

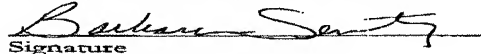
If you do NOT receive all of the pages, please telephone us at (310) 641-8797, or fax us at (310) 641-8798.

Title of Document Transmitted:	TRANSMITTAL SHEETS AND AMENDMENT UNDER 37 CFR §1.111.
Applicant:	Chi-Hong B. Chen et al.
Serial No.:	10/563,888
Filed:	January 9, 2006
Group Art Unit:	1635
Title:	APTAMERS TO HUMAN EPIDERMAL GROWTH FACTOR RECEPTOR-3
Our Ref. No.:	G&C 30448.108-US-WO

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP.

By: 
Name: William J. Wood
Reg. No.: 42,236

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Signature

April 11, 2008
Date

Gates & Cooper LLP

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045

FAX TRANSMISSION TO USPTO

TO: Commissioner for Patents
Attn: Examiner Tracy Ann Vivlemore
Patent Examining Corps
Facsimile Center
Alexandria, VA 22313-1450

FROM: William J. Wood
OUR REF.: G&C 30448.108-US-WO
TELEPHONE: (310) 642-4144

Total pages, including cover letter: 10

PTO FAX NUMBER: 571-273-8300

If you do NOT receive all of the pages, please telephone us at (310) 641-8797, or fax us at (310) 641-8798.

Title of Document Transmitted:	TRANSMITTAL SHEETS AND AMENDMENT UNDER 37 CFR §1.111.
Applicant:	Chi-Hong B. Chen et al.
Serial No.:	10/563,888
Filed:	January 9, 2006
Group Art Unit:	1635
Title:	APTAMERS TO HUMAN EPIDERMAL GROWTH FACTOR RECEPTOR-3
Our Ref. No.:	G&C 30448.108-US-WO

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP.

By: 

Name: William J. Wood
Reg. No.: 42,236

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Signature

April 11, 2008
Date